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TIME: \_\_\_\_\_

TO: Isaac ClockCOMPANY: PTOFAX NO.: 703-308-5397

FAX RECEIVED

DEC 11 1998

CLOCK 2700

FROM: LISA DaughertyYOUR REF: 08/994,047

OUR REF: \_\_\_\_\_

**OFFICIAL**

Consistent & petition letter

1-7 are fees and a breakdown  
of what they are for.

**\*\*\* NOTICE \*\*\***

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Docket No.: 33500-91  
File No.: 20590  
Client Ref:

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of  
Garrison, et al.

Serial No.  
08/994,047

Filed: December 19, 1997

APPLICATIONS BRANCH

For: AN ELECTRONIC BILL PAYMENT SYSTEM WITH MERCHANT  
IDENTIFICATION

**Official**

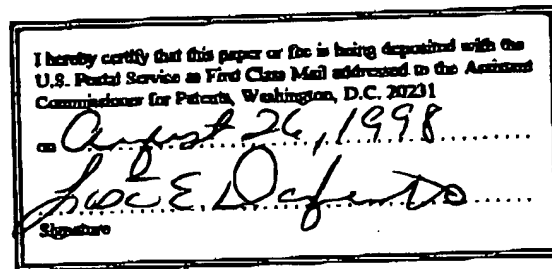
**RESPONSE TO NOTICE TO FILE**  
**MISSING PARTS OF APPLICATION AND**  
**PETITION TO RESTART DATE FOR RESPONSE**

**FAX RECEIVED**

DEC 11 1998

Group 2700

**BOX PATENT APPLICATION**  
Honorable Assistant Commissioner  
for Patents  
Washington, DC 20231



Sir:

In response to the Notice of Missing Parts of Application dated March 27, 1998, submitted are the following in connection with the above-referenced application:

1. Declaration and Power of Attorney (6 identical originals each signed by a respective one of the six inventors)
2. Statutory Basic filing fee of \$790.00
3. Late Filing Fee Surcharge of \$130.00
4. Additional Claims fee of \$318.00
5. Assignment (6 identical originals each signed by a respective one of the six inventors) and fee of \$40.00
6. Information Disclosure Statement and Associated PTO-1449
7. Petition to Restart the Time for Response to the Notice to File Missing Parts (set forth below) and fee of \$130.00

8. Conditionally, if the Petition to Restart the Time for Response is not granted, a Petition for Extension of Time (set forth below) and fee of \$950.00

**PETITION TO RESTART THE TIME FOR RESPONSE**

Submitted herewith is a copy of the "Office Copy" of the subject Notice To File Missing Parts of Application which was received from the U.S. Patent and Trademark Office by fax (from 703-308-2840) on August 21, 1998 (as evidenced by the date and time record at the top of the copy) responsive to a status inquiry made to the Customer Service Center. This was the initial receipt date of the Notice, the Notice having not been previously received through the U.S. Postal Service or in any other manner by the undersigned.

The subject application was one of a series of three related applications filed by hand on December 19, 1998. The Notices To File Missing Parts of Application for these other applications, i.e. U.S. Serial Nos. 08/994,046 (Attorney Docket No. 33500-002) and 08/994,363 (Attorney Docket No. 33500-003) were also received for the first time from the U.S. Patent and Trademark Office by fax (from 703-308-2840) on August 21, 1998 (as evidenced by the date and time record at the top of the courtesy copies of these Notices which are also enclosed herewith) responsive to the above mentioned status inquiry made to the Customer Service Center. These Notices were likewise never previously received through the U.S. Postal Service or in any other manner by the undersigned.

Each of the recently received fax Notices indicates the correct office address for the undersigned through July 24, 1998, except that the zip-code is incorrectly indicated as the result an inadvertent error in the zip-code indicated in the filed application documents. Since July 25, the undersigned has been a member of the firm of LALOS & KEEGAN, 1146 Nineteenth Street, N.W., Fifth Floor, Washington, D.C. 20036-3703.

We have been informed in a telecom between my assistant Ms. Lisa Daugherty and Ms. Nina Bailey of the Customer Service Center, that the Notice relating to the '363 application was in fact returned to the Patent Office by the U.S. Postal Service and was not subsequently re-forwarded to the undersigned's attention.

It is further our understanding based upon the aforementioned telecom that the time for response to the Notice relating to the '363 application will be restarted.

To the best of the undersigned's knowledge and believe, the following standard procedure was followed at the undersigned's office to which the subject Notice was addressed. All mail received from the Patent Office was promptly forwarded to the my secretary for docketing in the calendar docket (docketed by calendar date) and in the client dockets (docketed by client matter number). Upon completion of docketing, the correspondence was immediately combined with the applicable application file. No receipt of or response to the subject Notice had been docketed in the calendar and client dockets prior to the fax receipt of the subject Notice on August 21, 1998. Further, no original or copy of the subject Notice is filed within the relevant attorney patent application file. Moreover, during his period of residence, the undersigned routinely received all correspondence mailed by the Patent Office to the street address appearing on the subject Notice.

Based upon the above, the restarting of the response time for the subject Notice is hereby petitioned. In this regard, it is respectfully submitted that the undersigned has not responded to subject Notice in the originally prescribed two month period (i.e. on or before May 26, 1998) due the failure to receive the Notice in a timely manner via the U.S. Postal Service. It is further respectfully submitted that this failure to receive the Notice in a timely manner is the result of events and/or circumstances which were beyond the undersign's reasonable control. Accordingly, it is respectfully requested that this Petition to restart the response time for the subject Notice be granted, that the response time for the subject Notice be restarted as of the fax receipt date of August 21, 1998, and that no extension fees be required in connection with this filing.

A check is enclosed in the amount of \$1408.00 to cover the fees (excluding the Petition for Extension of Time Fee) indicated above. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 12-0429 and please credit any excess fees to such deposit account.

It is requested that the official filing receipt now be issued.

Respectfully submitted,  
LALOS & KEEGAN



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Registration No. 30,226

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Date: August 26, 1998